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RCE

PATENT  
Attorney Docket No.: 062614-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Yong YAO et al. Confirmation No.: 2158  
Application No.: 10/087,217 Group Art Unit: 1646  
Filed: March 4, 2002 Examiner: Ulm, J.D.  
For: NOVEL CELL-BASED ASSAYS FOR G-PROTEIN COUPLED RECEPTOR-MEDIATED ACTIVITIES

Commissioner of Patents and Trademarks  
U.S. Patent and Trademark Office  
Customer Window  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

a.  Previously submitted:

- i.  Please enter and consider the Response under 37 C.F.R. § 1.116 previously filed on \_\_\_\_\_.
- ii.  Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.
- iii.  other \_\_\_\_\_

b.  Enclosed:

- i.  Amendment and Reply to Office Action dated December 27, 2004
- ii.  Information Disclosure Statement and PTO-1449
- iii.  Statement Accompanying Substitute Sequence Listing; Sequence Listing and diskette

05/26/2005 SZEWDIE1 00000129 500310 10087217

01 FC:1801 790.00 DA

2. Miscellaneous

a.  Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)  
b.  Other \_\_\_\_\_.

3. Fees Calculation

a. RCE Fee required under 37 C.F.R. § 1.17(e)

\$790.00  
 \$395.00 (for small entity)

b. Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. §1.16(c))	52	minus	102	0	x \$50 each =	+ \$
Independent Claims (37 C.F.R. §1.16(b))	3	minus	4	0	x \$200 each =	+ \$
[ ] First presentation of Multiple dependent claim(s)					\$360.00	+ \$
SUB-TOTAL =						\$
Reduction by ½ for filing by a small entity						- \$
TOTAL FEE =						\$

c. Extension of Time

Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicants have inadvertently overlooked the need for a petition and fee for extension of time.

Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input checked="" type="checkbox"/> <b>two months</b>	<b>\$ 450.00</b>	\$ 225.00
<input type="checkbox"/> three months	\$ 1,020.00	\$ 510.00
<input type="checkbox"/> four months	\$ 1,590.00	\$ 795.00
<input type="checkbox"/> five months	\$ 2,160.00	\$1,080.00

The extension of time fee for this request: **\$330.00** (\$120 for one month extension paid on April 18, 2005).

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- The Director is hereby authorized to charge the Deposit Account No. 50-0310 in the total amount of **\$1,120.00** for RCE and extension of time.
- EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN LEWIS & BOCKIUS LLP**

By:

  
Bonnie Weiss McLeod  
Bonnie Weiss McLeod  
Reg. No. 43,255

Dated: May 25, 2005

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PATENT  
ATTORNEY DOCKET NO.: 062614-5001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re PATENT APPLICATION of: )  
Yong YAO *et al.* )  
Application No.: 10/087,217 ) Group Art Unit: 1646  
Filed: March 4, 2002 ) Examiner: John D. ULM  
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G-PROTEIN COUPLED RECEPTOR- )  
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Alexandria, VA 22314

Sir:

**AMENDMENT ACCOMPANYING  
REQUEST FOR CONTINUED EXAMINATION (RCE)**

This Reply is responsive to the Office Action dated December 27, 2004 and the Advisory Action dated May 11, 2005. A petition for a two month extension of time is included herewith. Entry of the following amendments and reconsideration of the claimed subject matter is respectfully requested:

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02 FC:1252 330.00 DA